

**EXHIBIT A**

**RETENTION ORDER**

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

Marianna Udem  
Brigette McGrath  
ASK LLP  
60 East 42<sup>nd</sup> Street, 46<sup>th</sup> Floor  
New York, NY 10165  
Telephone: (212) 267-7342  
Facsimile: (212) 918-3427  
[mudem@askllp.com](mailto:mudem@askllp.com)  
[bmcgrath@askllp.com](mailto:bmcgrath@askllp.com)

*Proposed Special Counsel for the Official Committee  
of Unsecured Creditors*

In re:

BED BATH & BEYOND, INC., *et al.*,<sup>1</sup>

Debtor.

Chapter 11

Case No. 23-13359 (VFP)

(Jointly Administered)



Order Filed on July 20, 2023  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

**ORDER AUTHORIZING AND APPROVING THE RETENTION OF  
ASK LLP AS SPECIAL COUNSEL TO ANALYZE AND PURSUE  
AVOIDANCE ACTIONS EFFECTIVE AS OF JUNE 6, 2023**

The relief set forth on the following pages, numbered two (2) through and including three (3), is hereby **ORDERED**.

**DATED: July 20, 2023**

\_\_\_\_\_  
Honorable Vincent F. Papalia  
United States Bankruptcy Judge

<sup>1</sup> The last four digits of Debtor Bed Bath & Beyond Inc.'s tax identification number are 0488. A complete list of the Debtors in these chapter 11 cases and each such Debtor's tax identification number may be obtained on the website of the Debtors' proposed claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>. The location of Debtor Bed Bath & Beyond Inc.'s principal place of business and the Debtors' service address in these chapter 11 cases is 650 Liberty Avenue, Union, New Jersey 07083.

Upon consideration of the *Application of the Official Committee of Unsecured Creditors for Order, Pursuant to 11 U.S.C. §§ 328 and 1103, Fed. R. Bankr. P. 2014, and Local Rule 2014-1, Authorizing and Approving the Employment and Retention of ASK LLP as Special Counsel to Analyze and Pursue Avoidance Actions, Effective as of June 6, 2023* (the “Application”);<sup>2</sup> and upon consideration of the Declarations of Marianna Udem and the Committee Chair filed in support of the Application; and the Court having jurisdiction to consider the Application and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334, and the Court having the power to enter a final order consistent with Article III of the United States Constitution; and this matter being a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and venue being proper in this District pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that the relief requested in the Application is in the best interests of the Debtors’ estates, its creditors and other parties-in-interest; and the Committee having provided adequate and appropriate notice of the Application under the circumstances; and after due deliberation and good and sufficient cause appearing therefor; and it appearing to the Court that the Application should be approved,

**IT IS HEREBY ORDERED THAT:**

1. The Application is GRANTED as set forth herein.
2. The Committee is hereby authorized to retain and employ ASK as special counsel to the Committee to analyze and pursue avoidance actions pursuant to sections 328(a) and 1103(a) of the Bankruptcy Code, Bankruptcy Rule 2014, and Local Rule 2014-1, effective as of June 6, 2023.

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<sup>2</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Application.

3. ASK shall apply for compensation for professional services rendered and reimbursement of expenses incurred in connection with the Debtors' Cases in compliance with the applicable provisions of the Bankruptcy Code, including section 330 of the Bankruptcy Code, the Bankruptcy Rules, and any applicable procedures and orders of this Court. ASK also intends to make a reasonable effort to comply with the U.S. Trustee's request for information and additional disclosures as set forth in the 2013 UST Guidelines.

4. ASK is authorized to render professional services to the Committee as described in the Application. ASK shall make reasonable efforts to avoid unnecessary duplication of services provided by any of the Committee's other retained professionals in these Cases.

5. ASK shall provide ten (10) business days' notice to the Debtors and the U.S. Trustee before any increases in the rates set forth in the Application or Udem Declaration and shall file such notice with the Court.

6. The Committee and ASK are authorized and empowered to take all actions necessary to implement the relief granted in this Order.

7. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

8. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Form order – ntcorder

**UNITED STATES BANKRUPTCY COURT**

District of New Jersey  
MLK Jr Federal Building  
50 Walnut Street  
Newark, NJ 07102

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Case No.: 23-13359-VFP  
Chapter: 11  
Judge: Vincent F. Papalia

In Re: Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Bed Bath & Beyond Inc.  
650 Liberty Avenue  
Union, NJ 07083

Social Security No.:

Employer's Tax I.D. No.:  
11-2250488

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**NOTICE OF JUDGMENT OR ORDER**  
**Pursuant to Fed. R. Bankr. P. 9022**

Please be advised that on July 20, 2023, the court entered the following judgment or order on the court's docket in the above-captioned case:

Document Number: 1419 – 1332

Order Granting Application to Employ Ask LLP as Counsel for the Official Committee of Unsecured Creditors (Related Doc # 1332). Service of notice of the entry of this order pursuant to Rule 9022 was made on the appropriate parties. See BNC Certificate of Notice. Signed on 7/20/2023. (jf)

Parties may review the order by accessing it through PACER or the court's electronic case filing system (CM/ECF). Public terminals for viewing are also available at the courthouse in each vicinage.

Dated: July 20, 2023

JAN: jf

Jeanne Naughton  
Clerk